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MIDDLEBURY

Female Seminary. The Spring Quarter will commence Monday.

February 5th, 1886.

The Summer "Mon'av, April 16th,
The Kall "Spri Sed, "The Winter "Nov. 12th, "

The Winter

The arrangements for leaving the Minoramous Prisaar Shortsaay baving failed, it will becomplished Shortsaay baving failed, it will becomplished the present Principal and Teachers and no effort shad be wanting to make the course of instruction thereugh, and the bearing as good as can be found in any similar institution. In our famile, we propose to give every lumate a plus sant Christian Home.

H. F. LEAVITT. H. F. LEAVITT.

LIFE INSULANCE COMP'Y OFFICE OF J. W. STEWART. C. G. STEELE, AGENT.

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IRA W. CLARK,

Attorney & Counsellor-at-Law Solicitor in Chancery. Also, Agent for the National Life

Insurance Company. Middlebury, Vt., Jan. 8th, A. D., 1866. W. M. BASS, M. D.,

Offers his Professional Services to his old triends and the people of Middlebury and vicinity. He may be found at his residence on Court Street, 2d door South of the Court House.

Middlebury, August 21-1, 1865. 21rt

M. H. EDDY, M. D., Physician and Surgoon, Office in Brewster's Block, over

STEWART & FOOTE, Attorneys & Connsellors at Law, MIDDLEBURY, VERMONT. J. W. STEWART, I H. S. PASTE.

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Watches, Clocks, Jewelry and FANCY GOODS. In Copeland's Bookstore, Middlebury, Vt.

Gottlocks, Watches and Jewelry repaired in the best manner, and warranted. Terms mod-erate. 18 J. S. BUSHNEGL

Attorney and Counsellot at Law.
At Office of L. D. Eldridge, Esq. formerly oc-Middlebury, Vt., March 26th 18 4.

L. L. WHITLOCK, Dealer in Trees, Shrubs, &c., &c.,

The subscriber has established himself in this vicin ity, and is prapared to furnish all kinds of Horticultural Stock.

which he will guarantee to be Just such as his patrons shall order. Trees set out and warranted if desired. Leave your names or orders at the Post Office, in Middlebury, and I will call and see you. Middlebury, Dec. 30, 1868. 28 of

FRUIT AND ORNAMENTAL TREES.
I select and put up all kinds of Fruit and Ornamental Trees, for all my customers, and deliver them investigation.

hem mysetf.

GF Make out your Orders and I will call on you.

F. D. TAYLOR.

West Salisbury, Dec. 13, 1865.

37tf

TO PERSONS HAVING CLAIMS

...par me dip heretofore known as Chap-til oder, is this day disolved by mutual Laparan will continue the tar-hors,

The Register. Whape & Fuller. Publishers and proprietors. Wh. J. Fuller. WH. J. Fuller. WH. J. Fuller.

MIDDLEBURY, VT., WEDNESDAY, JANUARY 31, 1866.

NO. 44.

S. D. & H. W. SMITH'S AMERICAN ORGANS.



The most perfect and beautiful musical instru

The most perfect and opening relations to the world!

Soventeen First Premiums over all competitors at State Fairs during the month of October.

With a reputation established solely upon intinsic merit, and without the aid of celebrated names and pad testimonials, the Americas Occass have taken the highest rank as First-Class Instruments, and are justly acknowledged to have

The attention of the public is called to the American Offican as an instrument long sought for in the fam by circle, which, with new patent improvements is adapted to all kinds of irusic.

improvements, is adapted to ell kinds of music, ratticularly the connected organ style with its statained tones and harmonies, and sacred music, so much desired in American bomes.

The American Organs are constructed on the principle of the large Pipe Organ, and in depth and somerity of tone approach searer that grant instrument than any other organ vet manufactured and are the only real organs now before the public. Most se-called "Organs" consist simply of the action fastened upon the bellows as in the common melodeon, and enclosed in an organ case; but the American Organs contains an organ windeliest, called the Revenuerating Sound-lock, which has the same important part to perform as the Soundley Source of the and other great in processors the American Organ ranks the first in the market and command a higher price than all other reed instruments. Besides ranks the first in the market, and command a high-er price than all other real instruments. Besides this wind-chest, the American Ouran contains the largest beliuws used in any instrument of the kind, giving strength and steadiness of time, truly a desideratum in any organ.

The beliuws using provided with a safety valve, it is impossible to "choke" the times by over blowing.

blowing.

The improved Knee-swell, by being placed at the right of the performer, managed with perfect case. By its non, the quantity of tone may be gradually increased or diminished from the Prantasimo to the Fortistine, any rice versus.

The Sfortance expression may also so introduced at pleasure, swellow particular notes with fine orchostral effects which are absolutely impracticable and mattainable to all "Automatic" er similar attachments.

offlice in Brewster's Block, over Express Offlice.

I. II SIMMONS & CO., 10 Acres in Books, Stationery, Artists' Materials, Augustians, Newspapers, Pictures, and Picture Frames, Assistances, Assistanc

We call special attention to the style of Amerwe can special attention to the extra considerate plan Organic, containing the super-octave complex and smooths. For churches in want of a powerful instrument, whose means are limited, its moderate price renders it very designable.

It contains seven stops and is tapable of great ever. I don't see much change. I used the contains seven stops and is tapable of great ever. I don't see much change. I used to whose the containing the super-octave complex to the proper sever. I don't see much change. I used to the containing the super-octave complex to the containing the containing

case, and is adapted for large churches, and for
the use of conventions, oratorio sertermances, &c.

Every instrument is fully warranted to prove
good and give satisfaction, and the public may
always rely on being fairly and honorarily treated.

Organs are securely howed (free of charge) to go
any distance.

S. D. & H. W. SMITH,

THEMOXY, opposite WALTHAM STEPRET

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STATE AGENTS, BUBLINGTON, Vr.

P L E N D JEWELRY, WATCHES, DIAMONDS, &C.

FOR THE HOLIDAYS

The House of BOSANQUET, GIRAUD & CO., The House of BOSANGUET, GHRALD & CO., PARIS, have the pleasure of announcing that they have opened an Agency in the city of New York, for the sale of their widely-known JEWELIT, WATCHES, &c., and for the purpose of making their goods as extensively known and appreciated in the United States as they are now, and have been over 70 years, in Europe; they have deternained on a plan by which poor and rich alike may have the advantage of their spheridi styles. As a preliminary, they would remark that they manufacture and sell no imitation Jewstry or Watches, but

All are warranted GOLD of the finest Workmanship. Our customers will also have the great advan-

Our customars will also have the great advantage of a constant succession of new and recherchestyles and patterns with which we shall keep our New York Agency supplied.

We have adopted the plan of sale, how so popular, of changing a uniform price, and this price will invariably be \$2 for each article, no matter how costly it may be. The expenses of conducting our New York Agency are paid by the sale of Certificates or Compans representing the various articles. These Criticates are sold at 50 cents each, or sive for \$2, and each certificate will show the holder the particular article or size is entitled to, on payment of an additional \$2. If the article named on the Certificates is not desired, the holder will oddige us, when he returns the Certificate, by stating what other article of the same value he or she may peder, and it will be sent with picasure. OUR AIM IS TO PLEASE, and every means to that end will be exerted. We solicit a trial from every one who reads this notice as we are confident of giving the nimest artisfaction.

THE STOCK COMPRISES

THE STOCK COMPRISES Amongst ether articles, Splendid Stocks, Gold and Silver Warches, Rings set with Diamonds, Bubles, Pearls, Gurnet and other Stones, (solitaire and in clusters), Ladies' sets of Jeweler, comprising Pies and Ear-rings of the most fachionable styles, set in ON THE UNITED STATE.

Inviting received the accessary instructions and state found in the War Begarment at Washington, I am propared to give information and as flexified to those who have claims upon the State of these States flower flowerments on account of the Art I the States of the army or bayy of the United States.

C. G. PH.DEN. 77:17

of one known as Chapofone known as Chapoffine the timbursts
continue the timbursts
continue the timbursts
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of the Chapoffine Orders where they can be obtained, or folBook Draft to our order. Address all orders to
our Alemey, which will be conducted by
Messas JAQUKT, STERLING & CO.,
28,5m
188 Broadway, New York.

POETRY.

On a Late Loss.

Hon. JOSEPH WARNER, of Middlebury, died very suddenly, of an affection of the heart, as the last day of the year 1865 was closing. A favor was asked of him by a humble neighbor, as be stood near the side-gate of his house-yard, after tea of that Subbath day. He said he would my paper. Not to be too personal, as ought to be here to speak. She and the sourcely ten feet within the gate, he fell, and expired alone. Of course, a village more fees on \$71 taxes, because he did ment is worth more than all the fashion and expired alone. Of course, a village stay and ornament of society, felt a chief and thus lost \$2.84 to save \$2. 'corner stone had dropped from the wall," and friends, as nomerous as acquaintances, mourned the sudden calamity. His funeral, on Thursday, testified the general respect, and, by its touching services, afforded something of fitting solace to private sorrow, but to the bereaved, the best consolation is from above. Such is the entiment of the verses here inscribed to the memory of one formed by nature to enjoy and adorn prosperity, and, as we hope, adopted, through the grace of life, to the use of gifts thus beneficent.

I see him now, with penial heart
And smilling lip, consent.
To bless the wish the weak impart,
As with them one he went,
With that last chance of love to start,
And fall, for life was spent.

How sad the Angel of the skies To see her own unfit to rise,
Nor heavenly aid dispatch.
Nor with such shadow of surprise
A gleam of light to catch.

But now 'tis earthly love no more Hat now its earthly love no more
That links his soil with lite.—
The wants that chequer this dull shore,
And gifts of herry rife.—
But love that beds no shadow o'er
The death of briend or wife.

It gleams anew in all her five,
And manifes all her form.—
A heavy of celestial grace,
And for returning warm,
When, but forgiven in his place,
He comes, redeemed from herm.
— Verneed Chronicle.
Sernay Evrittes, Jan. 7, 1866.

MISCELLANY

INTERESTING DIALCGUE.

Wheat-Ment-Cabbage-Potatoes-Apples-Grapes-Beets-Tomatoes-Bread -Cake-And Some Other Things-And the Boys and Girls Besides.

Scene-John Santh's Country Store-Time, Evening - Speakers, Samby lars. Villagers and Farmers who have "happened in its usual."

Mr. Smith .- Trade is very dull nowndays; I don't sell half as much as I did five years ago. Mr. Jones,-Good reason. Things're so high, we can't afford to buy. You

charge such awful prices. Smith. Mr. South.—Can't help it. I have to prog so much more. When I sold sugar at 10 cents a pound, I made a cent a pound, and I only make a cent a pound at 20 cents, and this cent profit don't go so far

Bellows, Tremolo, Reverterating Sound-lows, and improved Kneesswell.

These instruments have a capacity from the single reed invested to rest, up to eight sets and system steps. The power of the large pedal organ is very great, the deep sub-bass tones having the strength and depth of the sixteen feet in the large plue organs.

This latter instrument is finished in an upright.

This latter instrument is finished in an upright.

Mr. McCulloch had kept out of the cape churches and for large churches and set large churches and set large churches and Mr. McCulloch had kept out of the Treasury, for he threatens to make

Greenbacks par, and knock down prices, Mr. Price.-I don't see as it makes much difference. If there is twice as much money going, and everybody gets twice as much for everything he raises, and pays twice as much for everything he buys, it all comes out square in the end; and there is gain in the operation; those who save money or make a profit, make double, as neighbor Brown explains about paying his farm debt.

Mr. Butler .- That's so. Mr. Greene,-So I think, Mr. Morre -So do I.

Mr. Beller -There is a little drawback. I keep the accounts of Widow Roberts, who has the mortgage on Mr. Brown's farm, and the \$100 he pays don't go half so far in supporting her, and educating her children.

Mr. Track (the School Teacher) .- Yes it does, for I only get \$30 a month for it pay? teaching Mrs. Robert's and other children and I used to get \$25 with wheat at 75

Rev. Mr. Carry .- And I only get \$600 a year, while I always had \$500 with wheat at 75 cents and sugar 10 cents. Several Voices. - That ain't quite

Mr. Knox. (Editor.)-And you only pay me \$2 a year for my newspaper, which you thought cheap at \$1.50 five years ago, though I now have to pay three times as much for everything I use in making a newspaper.

Mr. Green - Why don't you raise your prices, too? Mr. Knox-People won't stand it. I must keep along with no profit or even at a loss, hoping for better times, or else lose my subscribers, and let the paper go down. Why, when I raised the from \$1.50 to \$2 a year, a good many stopped the paper-among them Mr. Brown himself, though I paid him double

for his wheat Mr. Brozen -I didn't stop it so much for the price; I went in for paying for

my form by extra economy. Mr. Knox -Yes, he followed my adwhen for people "to economize and pay their debta new." But let us see if Mr. Brown began at the right place. Or one Saturday I sublished in my paper that wheat had afvanced 15 cents a bushel. On Monday Mr. Brown went to market advance over the old price, and thought he did well. He came home boasting by half the farmers in this town.

about it, until he met neighbor Johnson, who had got the 25 cents advance be cause he read my paper, and was wideawake. Mr. Brown's loss on 60 bushels paid best, how to feed them, and the like, would pay four whole years' subscription. but if you will call around and see my

as a subscriber for life. Mr. Knox.-I have heard of several neighborhood, long regarding him as a not see the collector's notice in my paper magazines in the world. They say, it is him \$84 to save \$2 subscription. Mr. | how a hundred other house-keepers do D sold 200 pounds of wool at 62 cents, their work. because he did not see an advertisement ing 70 cents. That cost him \$16 to save a good many beautiful but cheap house-

> pany and is ruined. I know twenty cases and descriptions in the Agriculturalist. where people lost money by not knowing what is going on in business and society. I condense all newsinto my columns. It is important for every man to know all My school buys have brought me some about home matters, and I doubt if there copies to look at, the past year or two, is a man in this whole town who would and I find the Boys' and Girls' departnot in the course of a year, get some information that would pay him back \$2 a I ever saw. It is so full of stems, etc., year. And then think of a household sitting down together 865 days in a year with nothing to talk about except their the boys and girls in my school whose own affairs, and a few items of gossip gathered up by occasional contact with

other people. Knox's argument. Wife read to me an beautiful engravings. item he published about a humbug, which he copied from the American Agriculturist, of New York City. Next day one of those same humbugs came round with his article, and was so plausible that he almost persuaded her into paying bim \$8 for his swindling recipe, but the editor's caution kept her back.

Mr. Knoz . Yes, and do you know that the fellow sold more than fitty of the humbug recipes hereabout, at \$8 a plece! but not one to any of my subscribers.

Mr. Potts -- Put me down as a subscriber, Mr. Knox, here is your two dol-

Mr. Shaw .- And me too.

Mr. Knor.-Thank you, gentlemen. I'll try to make a better paper than ever. Every dollar helps: a new subscriber only adds to my expense the cost of paper. If everybody took the paper, and thus divided the cost of getting news, setting type, office rent, etc., I could double the value of the paper to each. Please talk the master over with other neighbors and see if it could not be done.

Second Voices .- We will. Mr. Smith .- Arsl now while you are about it, I want to make up a club for a

variety.

The American Organs all contain the Double Reliews, Trendo, Reverbrather Somuldest and cents a bushel or \$450. Of this \$250.

Mr. South.—You have just seen that

over. Why, I got two ten-acre fields ready to sow wheat, and put one in -That night my Agriculturist came, and I read a simple recommendation about preparing seed wheat. I called John and we put 15 bushels in soak for the next day It cost 50c. for the materials. Well, that second field vielded 5 bushels an acre more than the other-or 50 bushels extra, and better wheat too. Pretty good pay for \$1.50 expended for a paper. And I have got lots of other hints almost as profitable. You know I get better profits on my beef and pork than any other man in the place. Now does this not come from any direct hint, but from a good many suggestions that I have picked up in in reading the Agriculturist, and from the course of reasoning that I have been led into, by reading in it what

others do, and think, and my. Mr. Smith .- You are another subscriber to the Agriculturist, Mr. West; does

they only cost 20 cents extra for seed. two of them full page size, and Agriculturist. It was through the paper that I learned about both the cabbuges and potatoes. Its editors are careful, Brown.-And me. intelligent men, on the constant lookout for anything new that is really good, while the paper abounds in cautions

against the poor and unprofitable. Mr. Smith -What say york Mr. Tay-Does it pay to invest \$1.50 in the sulturalist !

Mr. Toplor -- Most certainly. A bint in the paper led me to look after certain insects at the proper time, and the result was, I had 160 barrels of splendid apples which brought me a clean \$5 per barrel, and this you know was better by \$1, than the average prices here, or \$160. Then I have read so green about good and bad Grapes, the method of treating them, etc., that I can beat the town in raising grap s profitably. My sob, William, got a kink in his head about Tomatoes, from something the Editors sidd, and sent for some with his which and sold it at one cent seed. He made more money on the crop raised in his spare hours, than was cleared

Mr. Smith.-Let's hear from M. Crane. Mr. Crane.-I only read in the paper what was said about hogs-what kind Mr. Brown .- Don't say anything more porkers, and my expense account, I'll bet about that, Mr. Knox, but put me down a pippin I can show fifty dollars more of pork for the same money, than any other man here. And this comes from reading other such losses by those who stopped what other men think and do, But Wife Mr. B so full of good hints about all kinds of paid \$3 60 the same way. Mr. C failed housework All I can say is, that we to bring in his claim against an estate, do have better bread and cake; and Wife because he did not see in my paper the says the cake don't cost so much as it legal notice limiting the time. That cost | used to. She has learned from the paper

Rev. Corey .- Let me say, also, that of Mr. Smith, right here at home, offer- Mrs Crane and her daughters have added \$2. Mr F's boys went down to the vil- made fixtures to their parlor and sittinglage every night or two to get the news rooms, which certainly make their home and local gossip, because they had no pa- more attractive. They told me, the othper, and one of them fell into bad com- er day, they got these up from pictures

Mr. Trava -- My salary has not allowed me to take the paper; though I must squeeze out enough to do so this year .ment of the Agriculturalist the best thing that amose and at the same time instruct the children. Why, I could pick out parents take the Agriculturalist, just by hearing them talk-they are so fell of new and good things they have learned Mr. Toulor -Let me help Editor from the paper. The paper has many

Rev. Corry .- As small as is my salary. I would have the paper if it cost five dol-lars a year, instead of one dollar and fifty cents. The fact is, it helps out my salary. My little garden plot at the personage has yielded us almost all our table vege tables, besides many beautiful flowers. The Agriculturalist has been my constant guide. I knew but little of gardening; but this paper is so full of informstion about the best things to plant and sow, when to plant, and how to cultivate -all told in so plain and practical a way, by men who seem to talk from their own experience, that I know just what to do, and how to do it well. The high moral tone of the paper, its common sense, the care it takes of all parts of the Farm, the Garden, the Orchard-the Household work, and the Children as well, with its hundreds of beautiful and instructive engravings-make it the most valuable periodical I have ever seen. I heartily wish every one of my parishoners would take it for himself and family. It would awaken thought and enterprise, give interest to the town and neighborhood talk, stimulate improvement, introduce new and profitable crops, animals and imple-Mr. Brown.—We can't afford to take advice, and all of you try the paper a year. The \$1 50 it costs, is only three cents a week, and it is worth that an way. Why the large and beautiful engravings are worth many times that.

Mr. Davis -1 took the "Genesee Farmer" last year, and as that has stopped, I thought I would take a new paper Mr. Smth.-The "Genesee Farmer was not really stopped. The Publishers of the "Agriculturist" invited Mr. Harris to join the Farmer to the "Agricultorist" and put his whole force into the latter paper. They paid him a large price for his office, and moved it with everything connected with it to their office. So the 'Agriculturist" is really two papers joined into one, and of course better. I think we better go with Mr. Harris to the "Agriculturist," that has been published for 25 years, and has a hundred thousand circulation, which, as Mr. Knox has told us, supplies the means and facilities for giving us a great deal more for the same money. Mr. Harris carries on his large farm, and his "Walks and Talks on the Farm," and other things he writes for the "Agriculturist," he tells as a great

deal about all kinds of farm work. Mr. Davis.-Put me down for the "Agricolturist."

Mr. Smith -I am glad to do so. Mr. West.-Pay? Yes. You know know you will like it. The January what good cabbages and potatoes I had number, which has just come to hand, last season. Why, the cabbages were alone worth the cost of a year. See worth double any others in town, for a here, (showing it,) there are 40 pages, market or for home use. I bad 400 twice as large as the magazine pages, and neads worth 5 cents a piece extra; and there are tharty-five engravings in My 250 bushels of potatoes are all engag- how beautiful! Why, I'll give any ed tor seed at \$1.50 a bushel, when other man who takes the paper a year, kinds bring only titty cents. That's \$250 a dollar and a half in goods out of my clear gain, for the \$14 extra I paid for store, if he says at the end of a year he the seed, and the \$1.50 I paid for the has not got many times his money's worth

Mr. Butler .- Put me in your club. Mr. Greene - And me too - Mr.

Mr. South -I have no interest in the matter, except to do a good thing for the in which the citizens of more than one constructed and used for that purpose, place. You can join our club, or any one who desires can get the "Agriculturist for all of 1866 (Volume 25), by simply enclosing \$1.50, with name and postoffice address, and sending it to Orange Judd & Co., 41 Park Row, N. Y. City. The paper always comes prompt and regularly, and, what is a good thing, it stops when your time is up, without you having to write about it. I predict that there will be plenty of others next winter, to talk as Mr. Rich, Mr. West, Mr. Crare and Parson Corey.

Never ride with your arm or elbow

The man who attempts to alight from a steam' car while it is in metion is a

Speech of Senator Foot on Inter-State Intercourse.

We regret that our limited space will not permit us to copy the speech entire; but we give our readers the following liberal extracts from it.

Mr. Foot said: The power of Congress "to regulate commerce among the several States" necessarily teaches it anywhere and everywhere among the State -not less upon the railroad car than upon

What, then, is the measure of extent of this power-this power to "regulate commerce among the several states !"-The ouvious answer is, that is as full and complete as is the power to regulate commerce with foreign nations. Manifestly it is full and complete as is the power to regulate commerce with the Indian tribes. Most clearly it is full as the several states themselves possessed before the passage of the constitution. In other words, it is the same power which the respective states possessed when under the confederation. In short, the states severally surrendered to the Federal Government, and conse- so delinquent in this regard? No sir, quently divested themselves of the power they possessed over the subject.

states is planary, it is exclusive, it is co- tary roads or commercial roads if you extensive with the subject upon which it operates, and, in the language of Chief rouds across the territory of a delinquent Justice Marshall, "it operates upon that state as the public convenience may resubject wherever it exists." And what quire, is this power to "regulate?" Manifestly If a vessels, or to grant licenses, or to give perto create, or rather to preserve and to the several states, so far forth the state affect only the citizen of the particular Cayuga lake: the reason being that in mg. the one case it is strictly local and inter-

But the inquiry is made, what is commerce? And by the way of surcasm or at the exercise of this power on the part of criticism, rather than of answer to the of Congress. She was not only the this commerce-the railroad cars are not a urge the surrender of this power in the ship commerce, nor the river or the bay gress is recognized by both parties-the upon which it fleats; but they are all state and the corporation. By the origagencies of commerce. It is said that inal charter, in consideration of the exclusion passengers are not commerce, that freight sive provilege of carrying all passengers are cotton, or wood or wheat, or corn, or adelphia, it was provided that the comsugar, or coffee, or salt, or silks, or hard- pany should pay to the state ten cents per from one place to another-from the or a tax upon the franchise-call it wh great West for example-say, to Boston, you please; if it, in effect, a levy of trior New York, or Phitadelphia, or Baltimore, and there exchanged for other gers and freight-from without the state coffee. and commodities-sugar, tea. other articles of merchandise-and these, 1854, this fixed percentage on freight and in turn, are placed upon the railroad cars, passengers was commuted by the transfer and carried back for distribution and con- to the state of an agreed number of shares sumption among the people, this process of the capital stock of the company. The elements and agencies-constitutes or tains this condition: produces that result, that idea, which we That when any other railroad or denotamate commerce. It is commerce; roads for the transportation of passengers domestic commerce; it is commerce and property between New York and among the several states; it is commerce Philadelphia, across this State, shiff be state are interested-in which the citizens under or by virtue of any law of of the whole country are interested; it is state or the United States authorizing said comeserce in the sense and meaning of the foud, that then, and in that case, the said Constitution. And this is commerce dividends shall no leager be payable to which Congress has power to "regulate" the state, and the said stock shall be rein its transit over intervening states to transferred to the company by the treasother states, and to remove any obstruc- urer of this state." tions which may be imposed upon its | Here is an express recognition of the transportation by heal state legislation. anthority of the Federal Government, and Commerce, though a complex idea, is of the probable exercise of that authority nevertheless a unit, a one integral inter-est, and not several and separate. It is York and Philadelphia; or to authorise an interest; an important interest; a vital any other railroad which might be con interest; general, pervading, and com- structed under the authority of that state mon to the whole country. It is an in- to carry passengers and freight between terest which belongs, not to the states those cities-just what this bill aethorizes severally, but to the states united; as and nothing more.

al and not by beal authority.

though the assertion was pertinent to the present inquiry, that a state—New Jersey, for instance—is under no obligation to build a railroad at all; and the question is asked, can we compel her to bifld a railford or any other kind of a road across her territory ! No sir : I do not contend that we can compel a state to build a road of any kind, otherwise than by what may be called moral compulsion. Nor do I contend that a stare is under obligation to build a road of any descripflon across her territory other than the obligation which every state owes to itself as a member of the Union-other than the obligation which every state owes to the community at large; other than the obligation which every state owes to the advancing civilization of the age, to keep step with the progress of the improvements of the times ; and it is hardly to be conceived that any stronger or more elgent incentive, in addition to the motive of edf-interest, can be presented or orged down the consideration of a state as an inducement to the fulfillment of a high publie daty. But suppose, what is hardly is supposible case, that a state-New Jersey for illustration-blindly or obstitutely refuses or neglects to fulfill this high duty to itself and to the country, and constructs no road, and will open no way nor provide any means of communication over her territory with other states. What then? Is there no relief? Is there no remedy? Must we submit to be forever barred from all intercourse between other

Agoin, Mr. Pfesidefft, it is said, at

and configuous states across her territory Is there no way of opening common York and Philadelphia I Is your feieral government so feeble and powerless that it cannot open the way of communication over the territory of an intervening state your federal government has ample power to provide the full measure of relief in The power of Congress, therefore, to such a case; and order its unquestioned regulate commerce among the several authority to establish post roads, or miliplease, it may construct one or more rail-

If the state, however shall boild one it is something more than a mere power road and but one road over its territory, to issue registers to merchant and trading so long as that food shall meet the full requirements of the public demand and mits or to establish ports of entry. From farnish the requisite and adequate facilits very nature and purpose it is a power lities for commercial intercourse between protect, and not to destroy. It is a pow- fulfills its obligation to itself and to the er to improve, and not to impair. It is public in that behalf: but the one road a power to facilitate and not to retard or falling to meet the public wants, and to embarrraes; and more than aid and fes- foreign adequate commercial intercourse sential to all, and comprehensive to all with and between other states, it presents there, it is a power to interpose and to the occasion for the federal devernment remove whatever obstructions or restrict to exert its power and to committee about tions may have been imposed upon com- er road across the inter ming state, in mercial intercourse with said between the order to meet the public wants. But if several states by local state legislation, the state itself soul, build two or more taking care always to distinguish between roads over its territory, cornecting will that legis ation and that commerce which adjacent states, and especially if the state are strictly local and internal, and which itself shall inhibit the use of either or any one of these roads to all passengers and state, and that legislation and that com- freight from one state to another, Congress merce which are more general, and which may establish either or all of them as affect the citizens of other states. To il- post reads, or as military roads; or if the lustrate: Congress may interpose and an- interests of commerce shall require it .nul the restrictions of a grant from the Congress may declare them to be lawful state of New York for the exclusive nav- structures for the excrying on of trade igation of the Hudson river. Congress and commerce among the several states, may not interpose and aunul the restrict any inhibition or restriction of the state tions for a like grant for the mavigation of legislature to the contrary notwithstand-

Mr. President; in a former debute, nal, and affects only the interests of citi- this bill has been assaited and denounced zens of the particular state, while in the as an infringement, a contemplated assituit other case the exclusive grant affects fire upon the rights of sovereign states, and commercial rights and interests of citi- New Jersey in particular. Nothing of zens of other states. For the same reas this kirst, in purpose, or in effect, belongs son, Congress may not interfere with the to the boll. So far from encrowthing upon local municipal railroads in the fity of the rights of a sovereign state, it is a pro-New York, or Brooklyn, or Butfalo, position to intervene in behalf of and for while it may interfere to remove the res- the protection of the sovereign rights of trictions of an exclusive grant to any one the people of all the states from infringof the great railroad lines across the state, ment or restriction by any single state to the exclusion of all her other lines of It is strictly an alleviative and not an road, in the conveying of freight and pass agressive measure. It is only the exersengers from one state to another state by else of a power which the states themauthorizing the other railroad companies selves voluntarily and unanimously vested to exercise and enjoy the same privilege. In the federal government, and for the This distinction is recognized in all our very purpose of protecting the people of courts. This distinction is reasserted and other states from the imposition of comreaffirmed in the argument of counsel and mercial restrictions, and from comblercial in the opinion of the court in the case of blockade if you please, by the action of

any one of the states. New Jersey has no cause of complaint frageiry, it is said that a railroad is not of the states of the eld confederation to commerce which Congress may regulate. states to the federal government, but in True, railroad cars nor the track upon her charter to the Camden and America which they run are commerce, nor is a Company this power in the federal coms not commerce. All true enough. Nor and freight between New York and Philware, of themselves commerce. But they capita on all passengers, and fficen cents are all elements of commerce. And when per ton on all freight and merchandise the cotton, or woof, or wheat, are placed transported over the road between the two upon the train of cars and transported points. Call it a bonus for the privilege, bute upon the people-upon all passedto that extent. By a supplemental act in -the combined operations of all these sixth section of the supplemental act con

much so as your Army and Navy. It is New Jersey, it has been well remarked. therefore a national and net a local inter- occupies a peculiar and most important est; an interest to be regulated by nation- geographical position in reference to this